

5378. Adulteration of tomatoes. U. S. * * * v. 800 Cases of Tomatoes
Consent decree of condemnation and forfeiture. Product ordered
released on bond. (F. & D. No. 7898. I. S. No. 10846-m. S. No. C-591.)

On December 5, 1916, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 800 cases of tomatoes, remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on or about October 24, 1916, by W. E. Robinson & Co., Waterview, Va., and transported from the State of Virginia into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, water, had been mixed and packed therewith in such a manner as to reduce and lower the quality and strength thereof, and had been substituted in part for said article.

On January 25, 1917, the Western Grocer Co., Minneapolis, Minn., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*